



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 106th CONGRESS, FIRST SESSION

Vol. 145

WASHINGTON, MONDAY, SEPTEMBER 27, 1999

No. 127

Senate

The Senate met at 12 noon and was called to order by the Honorable WILLIAM H. FRIST, a Senator from the State of Tennessee.

The PRESIDING OFFICER. The guest Chaplain, Father Paul Lavin, pastor, St. Joseph's Catholic Church on Capitol Hill, Washington, DC, will lead the Senate in prayer.

PRAYER

The guest Chaplain, Father Paul Lavin, offered the following prayer:

Listen to the words of the first letter of Paul to Timothy:

For everything created by God is good, and nothing is to be rejected when received with thanksgiving, for it is made holy by the invocation of God in prayer.

Let us pray.

Lord God, from the abundance of Your mercy enrich Your sons and daughters who serve in the Senate and safeguard them. Strengthened by Your blessing, may they always be thankful to You and bless You with unending joy. We ask this through Christ our Lord. Amen.

PLEDGE OF ALLEGIANCE

The Honorable CRAIG THOMAS, a Senator from the State of Wyoming, led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF THE ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore [Mr. THURMOND].

The legislative clerk read the following letter:

U.S. SENATE,

PRESIDENT PRO TEMPORE,

Washington, DC, September 27, 1999.

To the Senate:

Under the provisions of rule I, section 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable WILLIAM H. FRIST, a Senator from the State of Tennessee, to perform the duties of the Chair.

STROM THURMOND,

President pro tempore.

Mr. FRIST thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE ACTING MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The Senator from Wyoming is recognized.

SCHEDULE

Mr. THOMAS. Mr. President, today the Senate will be in a period of morning business until 3:30 p.m. Following morning business, the Senate will begin consideration of two resolutions that were introduced on Friday regarding education. The Lott and Daschle resolutions will be debated concurrently for 2 hours. Then the Senate will proceed to two stacked votes. Therefore, Senators can expect the first vote at approximately 5:30 p.m. Following the votes, the Senate may begin consideration of any conference reports, appropriations bills, or nominations available for action.

I thank my colleagues for their attention.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 3:30 p.m. with Senators permitted to speak therein for not to exceed 5 minutes each.

Under the previous order, the Senator from Wyoming is recognized to speak for up to 1 hour.

Mr. DORGAN addressed the Chair.

The ACTING PRESIDENT pro tempore. Will the Senator yield?

Mr. THOMAS. Yes, I will yield.

ORDER OF PROCEDURE

Mr. DORGAN. Mr. President, let me ask unanimous consent that, following the 1 hour following the Senator from Wyoming and the hour by the Senator from Illinois, I be recognized for 20 minutes beginning at 2 o'clock in morning business.

The ACTING PRESIDENT pro tempore. Is there objection? Without objection, it is so ordered.

EDUCATION

Mr. THOMAS. Mr. President, we are facing the last week for the consideration of appropriations bills for the next fiscal year. I expect we will end up having a continuing resolution—I hope so—so we can finish our work without an interruption, the closing down of the Government.

One of the issues, of course, that is most important to all of us is that of education. I wanted to talk—and will be joined by several of my colleagues during the course of this hour—a little bit about strengthening education.

The Republicans have had, and continue to have, a strong education agenda, one that reflects the view we share on this side of the aisle, that of returning control to the State and local levels so more of the decisions can be made by the school boards, by States, by parents, making Federal programs more flexible so there can be assistance from the Federal Government but at the same time allowing local governments to have the flexibility to adjust educational programs and school programs so they fit.

My State of Wyoming is unique in that we have lots of space and not too many people. Chugwater, WY, would have quite a different educational approach than Philadelphia. I think those

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



Printed on recycled paper.

S11455

differences need to be recognized. We have worked hard to move towards block granting of Federal money directly to States and to local school districts. I happen to believe that is a very important item in terms of Federal participation in elementary and secondary education.

There are differences of view as a matter of fact as to what the role of the Federal Government is with regard to elementary and secondary education. Many believe, of course, that it is the primary role of the local governments. I share that view. I share the view, however, that the Federal Government can assist, and in doing that, it needs to assist in a way that local officials can prevail.

Underlying this debate that we will hear a great deal about today and every day is a fundamental philosophical difference as to how you approach education. The Democrat approach is to create a series of new mandates and new programs such as 100,000 federally funded teachers to deal with class size. There is a different approach as to classroom units depending on where you are. Most States—I believe 43 out of 50—have this 18 to 1 ratio about which they talk. The Democrats are talking about federally funded school construction and afterschool programs, all of which sounds great and probably has some merit, but the fact is we ought to be thinking more about funding the programs that are already there, such as IDEA, those kinds of programs, than we should be talking about expanding into new programs. Democrats don't like the idea of letting local people make the decisions. They continue to want the educational bureaucracy in Washington to call the shots.

That is a fundamental difference, legitimate difference of views. There are those who generally respect that idea and those of us who do not. Sometimes it is difficult to differentiate between the basic differences of view as they get tangled up with the details of dollars.

But it is the local people, it is you and me as we serve on the school boards, as I have and many of you, not the bureaucrats in Washington, who really need to decide what the classroom unit in our schools ought to be, whether they need a new gymnasium or something else.

Those are the key issues about which we need to talk. It is not the issue of whether or not we want the Federal Government to participate. The issue is how it participates, how much more regulation goes along with this participation, and taxes, of course, as well.

The Taxpayer Relief Act, which was vetoed last week by the President, had over \$500 billion in family tax relief. Parents could have used this money to help educate their children. Specific educational provisions totaled \$11.3 billion in this tax bill the President vetoed—educational savings accounts, interest deductions for student loans, de-

ductions for employer-provided tuition assistance, these kinds of things that would give families the opportunity to do more with their educational programs.

Congress had made substantial progress earlier this year with the passage of the Ed-Flex bill. I am hopeful the principal sponsor of the Ed-Flex bill, who is now presiding, will have an opportunity to share with us a little more of what that means. It is one of the big things we have done this year in terms of education. It allows district waivers of Federal requirements. This is the direction we really need. We need to let the schools and the districts make their decisions. That is really where we are in much of the discussion at this time.

There will be some resolutions talked about today, introduced by the majority leader and the minority leader, which deal directly with the funding and how the funding is handled. I think they are extraordinary items we will discuss in relation to whether or not this administration has listened more to the polls and tried to do things that kind of pick up the people's attention or whether they really have been involved in seeking to strengthen education through the kinds of activities we have had.

I yield to my friend, the Senator from Alabama.

The ACTING PRESIDENT pro tempore. The Senator from Alabama.

Mr. SESSIONS. I thank the Senator from Wyoming and appreciate so much his leadership on so many different issues. His steady hand, his wise insight, and determination to make education better in America—I certainly share that.

Education is critical to our Nation's strength, economically, intellectually, and morally, and in relation to our character and other things. Unity in a nation depends on good education. It includes high technology, but it also includes history, literature, art, and those kinds of things.

I strongly believe in public education. I am prepared to support it and do support it. I think we can do a lot for our country.

I was a product of public education. My wife was the product of public education. My wife taught a number of years in public schools. I taught 1 year in public schools. Our daughters graduated from a major public high school in Mobile, AL. They were active in all of the school's activities. They were annual editors of the yearbook there. It was a big part of our lives. We participated in the PTA. My wife has volunteered on regular occasions in the classroom, assisting teachers as an aide, as is done in many schools today.

I think those ideas are oftentimes better than spending endless amounts of money. Too often parents are not encouraged to be a part of the education process. I think they can contribute to that. So educational excellence in the classroom is what it is all about.

What our goal needs to be is to enhance that magic moment that occurs in a classroom between a teacher and a child when learning occurs and where excitement is present. That will benefit our children. Some of the things we have done in education over the years really cause me concern.

I think it is important for us, as a nation, to recall another point, and that is that the Federal Government is not the primary focus of education in this country. Ninety-three percent of the money spent on education comes from our States and localities. That is where education is run. That is a historic, fundamental view in America—that education ought to be a local process and that we do not want the Federal Government dominating all of our education and telling us how everything ought to be run.

But what we have learned is, over the years, for the little money the Federal Government does put forth—the 7 percent that it contributes—so much of that money goes into regulations and burdens on local schools. We understand that 50 percent of the regulations for public schools in America come from Federal programs where only 7 percent of the money is provided.

Currently, there are 788 Federal Government education programs. School systems, small and large, have to employ teams of people just to write grants, to figure out how they can get some of this Federal money for their school systems. And when they get the money, they cannot use it as they wish; they have to comply with burdensome federal regulations, essentially fitting some bureaucrat's idea of what ought to be done in that school.

One thing I have learned here is that schools across this country are different. In the school I attended in the town of Camden, AL, 30 of us graduated from high school together. Well over half of us started the first grade together in that school. It was an excellent high school. I was blessed.

I was at the University of Alabama this weekend, and I met the dean of the human services department there; she was my classmate in our little class of 30. Another member of that group went on to Annapolis. And others have done well. But it was a public school, a small school.

My daughters went to a high school that had 2,000 students. So schools are different. The needs are different in each of the States. It is very difficult for the Federal Government to control and dominate and say precisely how learning should occur in every classroom across this country. I fundamentally believe that decisions about our children's education must be made by individuals who know our children's names.

We need to be sure that what we do in this Nation is a benefit to children and not a burden. I am really pleased to see Dr. BILL FRIST, the distinguished Senator from Tennessee, who previously presided in the Chair, because

earlier this year he led the fight for a bill we called Ed-Flex that would say: We are going to give schools more flexibility to utilize Federal dollars than they have had before in return for strict accountability.

It was a tough fight. Those on the other side of the aisle, the President, and all his staff, fought that bill tooth and claw—even though the educators and the teachers and principals were telling us: We badly need it. It was a battle. We did not get to go as far as we would have liked, but it was a good step in the right direction. We need to do more of that.

Do we really care about our children? Do we want to make sure they learn as best they can? Let's give the money to the people we elected as our school board presidents and commissioners and superintendents to run our school systems; the people who know our children's names. Those people care about children; it is not just people in this body.

Many of us who have little or no knowledge about education, how is it we think we know all there is to know about education? We can read a newspaper article about somebody having a good idea, so we pass a Federal program to fund it, and we end up with 788 programs that really burden education.

Let me tell you about a number of things that are out there. I had a letter from a good, long-time friend of mine. I was a Federal prosecutor and attorney general of Alabama. This friend, Dave Whetstone, was a district attorney in one of our larger counties for quite a number of years. Dave Whetstone ran into the IDEA Act. Based on what IDEA says, children with disabilities ought not to be separated. They are supposed to be kept in the classroom. That is certainly a good principle. We ought not to separate children who don't need to be separated. But the act says, no matter what you do or how violent that child may get, they can't be removed from the classroom for more than 45 days. They have to be put back in there because of Federal law.

During committee hearings this year, we heard from a superintendent from Vermont who told us that over 20 percent of the education costs in the school system with which he was involved went to funding the regulations of this program. One cannot believe what it demands. In the Alabama case, there was a young man who was the subject of a Time Magazine article, "Is This the Meanest Kid in All of Alabama?"

I have met with District Attorney Whetstone to discuss this very problem because he raised the question. He wrote me a letter in late April. He said:

I am writing you this letter concerning my general outrage over the laws of the Federal Government and how they are being administered in relation to school violence.

I had already been having meetings . . . concerning the Federal Disabilities Act.

The general thrust of the matter is that violent children are being kept in school be-

cause of the new Federal Rules relating to disabilities.

I can point to at least seven to nine occasions in Baldwin County in which I believe expulsion was called for, but could not be accomplished because of the interpretation of the Disabilities Act.

He goes on to talk about the story of this one child.

In summary—Americans may not understand this—with regard to children who are really disruptive, they hire aides to not only be in the classroom to help the teacher for this one child who is disruptive, the aides go to their homes, ride the school buses with them to keep them from disrupting the bus, stay with them all day, and ride the school bus home at night.

That is what they were doing with this young man. He had violent tendencies. In one case on the school bus, he had an incident, and the aide tried to stop him from wrecking the school bus. He tried to wreck the school bus, and he attacked the aide. That is when the district attorney got involved and filed legal action to try to overcome this thing.

That is the problem we are living with, and that is driven by Federal regulations that are, in fact, reducing our ability to educate. I don't know which children ought to be kept in the classroom and which ought to be removed. I would like to see every child who can stay in a classroom stay in a classroom. I think that is extraordinarily important. But some children are so disruptive that it undermines the whole teaching process. I believe the decision must be left to the local principals and school boards.

I have had teachers tell me: Jeff, I can't put up with it anymore. It is too stressful for me. I am going to get out of this profession that I love as soon as I can.

Much of it is driven, if you talk to your friends and neighbors who teach, by discipline problems. You would not know, if you listened to these education bureaucrats in Washington, that a lot of it is driven by burdensome Federal education rules and regulations.

This Congress, since the Republican Party took the majority, has increased Federal funding for education 27 percent. All this talk about slashing funds for education is not true. We do believe—I certainly believe—in public education and helping public education to flourish, but we need to do it the right way. We need to do it in a way that helps teachers to achieve that sublime moment when the learning occurs in a classroom and kids are motivated and they get that insight that may lead them on to a lifetime of learning.

I am not sure the 788 programs we have now are working. I pledge to the people of the United States, I am going to work to do all I can to continue to support our States in their efforts to educate, but I am going to try to reduce Federal regulation and Federal intervention in their schools and give them the kind of opportunities they

have not had in many years to improve education in those schools. Each school does it differently. We can't mandate it from here.

It worked for welfare reform. Do my colleagues remember that? We said: We are going to stop mandating all these rules for every community in America. We are going to challenge the States to take the welfare money we have been spending and create programs they believe, in their State, are comprehensive and will get people off welfare and back to work. It has worked, and we have had a massive reduction in the welfare rolls. It has been good for America.

We can do the same for education. The Senator from Tennessee has been a national leader for education reform. He is on the Health, Education, Labor, and Pensions Committee. He has been a national spokesman for it, and it has been a pleasure for me to join that committee and work with him.

Mr. President, I have concluded my remarks. I am pleased to yield to the distinguished Senator from Tennessee on this subject.

The PRESIDING OFFICER (Mr. THOMAS). The Senator from Tennessee.

Mr. FRIST. Mr. President, I commend the Senator from Alabama for his outstanding leadership in the field of education, preparing our children for tomorrow, for that next millennium. He has done outstanding work. We work almost on a daily basis on this very issue.

I also commend the Presiding Officer for his leadership on this issue which, again, means so much to the future of our country.

Earlier this morning I was talking to a group of people who came up to visit from Texas. They said: Senator FRIST, what in your mind is the most important thing that society must do to prepare our country for this new millennium that is upon us?

I very quickly turned it back to the audience and said: What do you think?

When we came to education, every hand went up in the air. Indeed, according to every public opinion survey, education is the No. 1 issue when people ask what the responsibility of the public—not necessarily just the Federal Government but of the public—is in terms of promoting more fulfilling lives in the future. If we look a little bit further at those town meetings, we say: What really can be done? People very quickly come back to our education system, to our public school system. About two out of three Americans are very supportive of public schools but do believe that our public schools will require some major change, some major innovation, some creativity. Just more of the same is simply not going to work.

We only have to look at how we compare to our international counterparts. When we look at reading, math, or science at the fourth grade, the eighth grade, and at the twelfth grade, we are failing compared to other countries all around the world. What is even sadder,

if we look at subjects such as reading or math, we fail in the fourth, eighth, and twelfth grades. If we do OK in the fourth grade, we do worse in the eighth grade, and we do miserably in the twelfth grade. The longer someone is in school, when we compare ourselves internationally—we all know our world is becoming smaller, and our borders are beginning to fall in this global economy—when we compare ourselves internationally, we are failing and failing miserably.

Republicans have set forth very solid proposals based on three pretty simple, straightforward priorities. Mention has already been made about the Ed-Flex bill, the Education Flexibility Partnership Act, which was signed by the President, debated on this floor, and involves these same principles.

Those three principles are, No. 1, take education out of the hands of the Federal bureaucrats and return it to the local level, to parents, to teachers, to school superintendents, to local officials, where it belongs.

No. 2, since what we are doing is not working, based on the statistics I just related, let's unleash the spirit of change, of innovation, of doing something a little bit different. We can begin by untying those Federal strings, those Federal regulations which are restricting that change, which are holding back innovation.

No. 3, raise the standard of education excellence so every child gets the education he or she needs and deserves.

For over three decades, we have seen this progression of Federal involvement in our educational system today. As the Senator from Alabama just pointed out, there are over 780 separate Federal education programs. It really comes from a lot of people in this body and other bodies who came up with good ideas to cure particular problems. The result is that you get a layering of these Federal programs, one on top of each other, until you get this whole spider web of good intentions. But these good intentions have increased Federal bureaucracies, each with its own set of regulations, hierarchy, own buildings, own section, each trying to educate people in a better way. These over 780 different Federal education programs are spread across over 40 entirely separate bureaucracies. So it is time to step back, streamline, and better coordinate the resources that we are directing toward education.

Now, it is interesting that, in the Ed-Flex debate, a lot of things were talked about on the floor of the Senate, and one was apparent to me. The statistic was that educators spend over 48 million hours churning out paperwork and red tape because of these Washington-based regulations.

Now, 48 million hours sounds like a lot. How much is it? It is the equivalent of 25,000 teachers working 40 hours a week for 1 year—not in teaching that student but in filling out paperwork and regulations. It is this excessive regulatory burden that we in Wash-

ington, DC, impose on them. It is what the Federal Government pushes down on that teacher in that school in Alamo, TN.

How does it translate into taxpayer dollars? That \$1 that is sent, on April 15, to Washington, DC, filters down through the bureaucracy and is only worth 65 cents by the time it gets down to the classroom; that is, 35 cents of every taxpayer dollar that comes up to the Federal Government is lost in these 780 programs through 40 different bureaucracies.

The real question is, Can this be modernized? Is there something we can do? The answer is absolutely. Ed-Flex is that first step. It shows that we can make progress by doing what? Education flexibility—giving more flexibility, providing for more accountability; those are two fundamental principles.

As Ronald Reagan said, "There is nothing closer to eternal life than a Government bureaucracy." So, yes, No. 1, we have to address the issues of the bureaucracy. How can we streamline and better coordinate to get more value out of the resources that we put into education? Ed-Flex attacked the issue of improved accountability and improved achievement by looking at those three Republican principles. Individual classrooms have individual needs. Classrooms in Alamo, TN, are different from those in Memphis, and different from Bristol, TN, and different from those in New York City, or San Francisco. Some schools stress technology; some have computers; some are in a rural area and don't have the technology.

The whole point is each school is different, and we in Washington, DC, must recognize the solutions to an individual school's challenges to educate a student have to be based on local concerns, local input, on what those teachers need, on what advise and counsel parents offer to that particular school.

What did Ed-Flex do? As I said, it is the Education Flexibility Partnership Act. No. 1 is flexibility. It gets rid of a lot of the Washington red tape. It comes down from the 780 different programs. You have absolutely the same goals, but how you reach those goals is determined at the local level. Ed-Flex has strong flexibility but also strong accountability. Strong accountability, in that if you have an Ed-Flex program in your State, you must say specifically how that plan will be administered, how achievement will be measured, and you will be held accountable for accomplishing that achievement.

In return, you are given flexibility. Ed-Flex started as a demonstration project in six States, and it was expanded to 12 States. Now, through a bipartisan effort, we are able to expand that to every State in the Union.

Another way to achieve the three principles we are working on is the authorization process—a process that is looking at the reauthorization of the

Elementary and Secondary Education Act. This is the big bill that authorizes how we spend all kindergarten-through-12 funding. The purpose of going back and looking at that authorization is to modernize this system, to allow some innovation and creativity, to take it back to local control, instead of Washington, DC, control.

Republicans have designated this legislation as the vehicle to address two principles: No. 1, to retain the same basic elements of education funding through ESEA, the Elementary and Secondary Education Act, but eliminate the red tape that tells localities specifically how to spend it. The bill, as we go forward, needs to stress local control. I believe, and most Republicans believe, that we need to free States and free localities from red tape, from that lack of innovation, from that rigidity, in return for improvements in achievement. We must make sure our students are really learning and progressing over time. In addition, we have to reduce that paperwork by focusing on not just the process but the actual performance of those students who will leave that school and go on to higher education and to competition in our national marketplace and in a global marketplace.

We need to allow States, I believe, to consolidate some of these 780 programs at the State and local level if they believe they can have greater achievement, and if they have a specific plan to do so, and are held accountable for that. We need to empower parents, we need to empower local educators, and then we need to hold them accountable for their results.

Another issue that we absolutely must focus on, and we are focusing on, is the quality of our teachers. There are some people who say the answer to all this is 100,000 more teachers. That makes a good sound bite because more of anything sounds good to people. But I believe we need to go back to that Republican fundamental belief that more can be helpful, but what is more important is the quality of that teacher in that classroom talking to those 10 students or 20 students or 30 students. Just having more of something there isn't necessarily the answer. The answer is in teacher quality.

A researcher from the University of Tennessee put it quite well when he said to me that teacher quality has a greater effect on performance than any other factor, including student demographics or class size. If you have to pick one, it is the quality of that teacher in the classroom. He said—and these are exact words—"When kids have ineffective teachers, they never recover."

Think about that. Other than parents, no other intervention equals the effect on a child's capacity to learn, to assimilate than that of his teacher. Every classroom should have a qualified teacher, proficient in the subjects they teach. Now, one might say, well, no, that is not it; we need more warm

bodies in the classroom and that is the answer.

Listen to these statistics. Today, over 25 percent of all teachers are poorly trained to teach; 12 percent have no prior classroom experience before beginning to teach; 14 percent have not fully met State standards. In Massachusetts alone, 59 percent failed the basic licensing exam; 54 percent failed a 10th grade level competency test. If we look all across America, 18 percent of all social studies teachers have neither majored nor minored in the subject they teach; 20 percent of all science teachers have neither majored nor minored in science; 40 percent of all math teachers have neither majored nor minored in mathematics.

Is it surprising, then, when you compare the performance of 12th graders in this country in math and science to other countries around the world that we are not 1st, 5th, 10th, 15th, or 20th in math and science, but we are 21st? We are 21st among our competitor nations around the world. Is it surprising when 40 percent of all math teachers—the person actually teaching in that room with the 12th graders—did not major or minor in the field of mathematics? We hear about “100,000 new teachers.” That is a short sound bite, but I think the focus you will see from our side of the aisle is on the quality of teachers and not on numbers alone.

The Teacher Quality Act works aggressively on directing Federal resources to help attract the very best, to help train and retrain those very best teachers. Funds will be available in several areas, including establishing incentives to teachers with advanced degrees in core subjects, or implementing teacher testing with bonuses for those who score well, or expanding the pool of teachers by certifying qualified retired military personnel.

Another issue in our schools today, an issue we hear about all too often, is school violence. Again, the reasons are as many and numerous as the incidents themselves. Common sense says fix the obvious problem. One obvious problem is drugs. A long-term study showed most drug use starts at age 12 or 13. When the White House took a high-profile line on this, illicit drug use declined consistently from 1979 to 1992 and, over that period of about 13 years, fell from 16 percent to 5 percent. However, in the first 5 years of the current administration, over half of that progress has been lost. The latest National Center for Alcohol and Substance Abuse poll shows 35 percent of teens believe drugs are the most important problem they face.

We are responding again under an initiative being put forward through the Youth Drug and Mental Health Services Act. That act will add financial assistance for community programs for violent youth and will add technical assistance to create community partnerships to look at youth drug issues and youth mental health.

An area of discipline we will have to come back to is loopholes in the cur-

rent law, including the act mentioned this morning, the Individuals with Disabilities Education Act, a bill in which I believe very strongly and which was strongly supported in the efforts of the past Congress. There is a problem in that particular bill regarding violence—violence and discipline in our schools. The fact is, one group of students is disciplined in a different manner from other students. That is unfair and has to be changed. It has not yet been changed.

In my own county, Davidson County in Middle Tennessee, there were eight firearms infractions, meaning there were eight children who brought either guns or bombs to school; six of those were special ed students. Three of those special ed students were expelled, but three were not expelled and came back to the classroom. In Tennessee, the general law is, if a student brings a gun or a bomb into the classroom, they are expelled for that year. Because of the Federal law, we say all students are not treated equally. There is a special class of students who, even if they brought a gun or a bomb to the classroom, may return in 45 days. I see no reason why all children should not be subject to the very same disciplinary action.

Education is the most important gift we can give our children. The time to act is now. We are doing that with Ed-Flex as the first step, with reauthorization of the Elementary and Secondary Education Act, and with the Teacher Quality Act.

I have an 11-year-old, 12-year-old, and a 14-year-old. I don't want to be too pessimistic. When we look at this generation that is coming through, the overwhelming majority of America's children are good, with good intentions, and are working hard. In fact, when comparing the so-called millennial generation with the preceding generation, statistics are improving:

Teen sexual activity is down; teen pregnancies are down, especially in the inner cities; teen drinking is down; teen drunk driving is down; TV time is down; high school dropout rates are down. More time is being spent on homework today. Academic standards are slowly rising; time spent on chores is up; church-going is up. High-tech skills are rising sharply. Most teens today trust institutions; they agree with their parents on core values.

As for violence, the high school murder rate has indeed fallen 50 percent since 1993, the steepest decline in any age bracket. School-related violent deaths are declining. There has been an overall improvement in teen crime. I say that because we have this interesting juxtaposition of great opportunity in our system, but when we compare ourselves internationally, we are failing if performance is the measure.

Again, looking back to the fourth, eighth, and twelfth grade, we are failing our children today, but we are doing it in an overall framework which

says that it is possible to succeed. We need to be committed. We need to do it in the right way, using the three Republican principles I put forward. Our children are America's future, they are America's pride, and Republicans intend to do everything we possible can to help them stay that way.

I ask unanimous consent, following the remarks of Senator DORGAN today, at approximately 2:20 p.m., Senator HATCH be recognized for up to 25 minutes in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FRIST. I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. How much time remains for morning business?

The PRESIDING OFFICER. Nineteen minutes.

TAX DECREASE VETO

Mr. GRASSLEY. Mr. President, the President of the United States vetoed the largest tax decrease bill to pass the Congress since 1981. By doing this, he wants to continue the tax overpayment that working Americans are paying into the Federal Treasury.

The President is saying in his veto that we ought to continue to tax the taxpayers at the 21 percent of gross domestic product level, where taxes are now, the highest level in the history of our country, as opposed to the last 50 years when taxes fell in the range of 18 to 19 percent of gross domestic product.

The people of the United States have been willing and, through consensus, settled on the level of 18 to 19 percent of gross domestic product, both from the standpoint of what they are willing to pay into the Federal Government and also from the standpoint of how that is, at a lower level of taxation, better for the economy.

The President said in his veto message we would put in jeopardy several government programs if we did not continue to tax at this level. The President didn't say in so many words, but he has a plan for spending the \$792 billion that the Congress would let the American taxpayers keep. By spending it, he would do it in a fashion that would end up with a \$200 billion additional national debt than what we would have by giving the \$792 billion to the taxpayers. He would, in a sense, jack up the level of expenditure of the Federal Government to well over the present level of expenditure and put in jeopardy balancing the budget if we had a downturn in the economy and the taxes did not come into the Federal Treasury at the rate of 21 percent of gross domestic product.

Even though the bill passed in a bipartisan way when it first went through the Senate, on final passage it ended up being a Republican tax reduction that went to the President because there were not any people on the other side of the aisle who voted for it.

We were saying that this tax overpayment ought to be left with working